PUBLIC NOTICE

PERMIT APPLICATION: NRS 06.067

APPLICANT: Nashville District Corps of Engineers
Planning Branch (PM-P)
P.O. Box 1070
Nashville, TN 37202-1070
ATTN: Mr. Chip Hall
Phone: 615-736-7666

WATERSHED and LOCATION: The proposed project is in the Caney Fork River Watershed, HUC TN05130108, Caney Fork River Mile 26.6, (36° 05' 50" N; 85 °, 49', 34" W) Center Hill Dam Quadrangle, Lancaster, Dekalb County, Tennessee (USGS Center Hill Dam, Tennessee 7.5 Minute Series Quadrangle). Center Hill Reservoir is assessed as fully supporting its fish and aquatic life designated use. The surrounding land use is light industrial and state park.

SUBJECT: Proposed Placement of Fill Material in Association with Dam Repairs at Center Hill Dam, Caney Fork River Mile 26.6, (36° 05' 50" N; 85 °, 49', 34" W) Center Hill Dam Quadrangle.

TO ALL CONCERNED: In compliance with Section 404 of the Clean Water Act (CWA) PL 92-500, notice is hereby given that the Nashville District Corps of Engineers proposes to place fill material along the upstream face of the dam and along the adjacent shoreline on the left descending bank (Eisenhower Park) to create a work platform in connection with necessary dam repairs. In addition, a coffer cell dam would be constructed in the lake in front of the Center Hill Saddle Dam with Fuse Plug. This coffer dam would be removed after work is completed. Before the fill can be undertaken, certification must be obtained from the State of Tennessee pursuant to Section 401(a)(1) of the CWA, that applicable water quality standards will not be violated. By copy of this notice, the Corps of Engineers hereby applies for the required certification.

In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activity will not result in degradation to water quality.

PERMIT COORDINATOR: Robert D. Baker

AUTHORITY and BACKGROUND: The Flood Control Act of 1938 authorized initial dam construction and supplementing authorizations authorized the Chief of Engineers to construct, maintain, and operate public park and recreational facilities and to permit construction, maintenance and operation of such facilities. The Federal Water Project Recreation Act of 1965 established development of the recreational potential at federal water resource projects as a full project purpose. The Fish and Wildlife Coordination Act (16 USC 661) and the Fish and Wildlife Conservation Act of 1980 (16 USC §§ 2901 – 2911) effectively added fish and wildlife management as a project purpose. The Clean Water Act (33 U.S.C. 1252 § 102(b)) added water quality to the Corps' mission and the River and Harbor Act of 1958 (43 U.S.C. 390b), authorized municipal and industrial water storage in Corps projects and the reallocation of storage.

Center Hill Dam has a long history of foundation seepage problems through both the right abutment and left rim due to large solution features (caves) within the limestone formations. Some risk for dam failure due to seepage problems exists. The proposed work is necessary for the construction requirements to address the seepage problems.

PURPOSE and DESCRIPTION: The purpose of this work is to maintain the safe continued operation of Center Hill Dam. An Environmental Assessment for this work has been prepared and is circulating concurrently with this Public Notice. A copy of this EA can be obtained by contacting Mr. Chip Hall at the address provided below. The dam and associated lake provides millions of dollars of benefits annually in flood damage reduction, hydropower, recreation, fish and wildlife, water quality, and water supply. The project proposes placement of approximately 163,000 cubic yards of clean shot rock along 1,500 linear feet of shoreline on the left rim (Eisenhower Park) to construct a construction work platform that will be used for needed dam repairs. The majority of this material would lie below the normal summer pool. In addition, approximately 1,000 linear feet of coffer dam will be placed in front of the Center Hill Saddle Dam with Fuse Plug to ensure dry working conditions along the right abutment. The coffer dam would be removed after work has been completed. The rock would remain in place after the work is completed as a part of the dam face because it would cause more environmental damage to remove it than it would to leave it once it is in place.

CURRENT SITE CONDITIONS: The current conditions of the project site are described in detail in the Section 404(b)(1) Evaluation. Briefly, the waters have been converted by the impoundment of the reservoir from a riverine to a lake environment. Flows are regulated. The substrate is predominantly bedrock, cobble and gravel, and some sand, silt, and clay. There are no known contaminants including metals and a variety of hazardous and toxic chemicals including PCBs.

ALTERNATIVES: Alternatives studied included No Action, grouting only, and a combination of grouting and cutoff walls. No action and grouting only would not require the construction of the work platform. No Action would ultimately result in the loss of the Center Hill pool and the associated benefits. Grouting only may temporarily slow or even stop the seepage, but is less certain than when used in combination with the construction of cutoff walls.

OTHER CONSIDERATIONS: In addition to consideration of other factors of the public interest, the review process will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b)(1) of the Clean Water Act (40 CFR Part 230). A 404(b)(1) evaluation has been completed and is available for review at the location listed above.

The Corps of Engineers signed a mitigated Finding of No Significant Impact on June 19, 1992 in which it committed to providing alternative minimum flows if the seepage is stopped. The Corps remains dedicated to this commitment and proposes to provide minimum flows below Center Hill Dam by installing a new house generator. This generator would provide flows of approximately 200 cubic feet per second which, studies have shown to be optimal. It may be able to improve the dissolved oxygen also.

Section 106 of the National Historic Preservation Act requires Federal agencies having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking to take into account the effect of the undertaking on any district, site, building, structure, or object that is

included in or eligible for inclusion in the National Register. The State Historic Preservation Officer (SHPO) of Tennessee has been consulted with regards to this undertaking. A single historic property, Center Hill Dam and associated facilities, is located within the project's "area of potential effects." In response to initial project scoping the Tennessee State Historic Preservation Officer (SHPO) noted that the proposed undertaking may affect historic properties. Consequently, and in accordance with requirements at 36 CFR 800.5, an assessment of adverse effects was conducted by the Corps. An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register of Historic Places. Applying the criteria of adverse effect, the Corps concluded that the proposed activities would have no adverse affect on Center Hill Dam. This finding was provided to the Tennessee State Historic Preservation Officer (SHPO) by letter dated February 10, 2006. The SHPO concurred with the Corps' finding by letter dated February 15, 2006.

As identified under the Endangered Species Act, one species of federally listed Threatened or Endangered Species, the gray bat (*Myotis grisescens*) could potentially reside in the area. The gray bat roosts only in caves or cave-like habitats. There are caves located within the area of potential effect. The grouting alternative would affect some of these caves; however these caves do not fit the characteristics of the summer roosting or winter hibernation habitat of the gray bat. The caves or solution features that would be affected by grouting have water flushing through them, originating from the reservoir. Therefore, a Biological Assessment will not be prepared for this species. There are no significant adverse impacts to federally listed species anticipated.

Federal, state and local approvals required for the proposed work include the following:

a. An Aquatic Resources Alteration Permit from the State of Tennessee and in accordance with Section 401(a)(1) of the Clean Water Act.

b. An Underground Injection Control Permit would be required prior to the grouting operations.

c. An NPDES Storm Water Construction Permit would be required prior to beginning construction activities.

PUBLIC PARTICIPATION: An Environmental Assessment (EA), unsigned Finding of No Significant Impact (FONSI), and Preliminary 404(b)(1) Evaluation have been prepared and are being circulated to appropriate agencies, organizations, and the public for review and comment. The EA evaluates the existing environmental conditions and effects of proposed impacts to the region. Also, the EA incorporates environmental commitments and measures to minimize or reduce environmental impacts to riparian and aquatic habitat to the extent feasible including the use of best management practices (BMPs). Responses received during the comment period will be addressed and incorporated into the EA. Copies of the EA package may be obtained by writing or calling the Corps contact indicated below.

Written statements should be directed to the U.S. Army Corps of Engineers, Project Planning Branch, Attention: Chip Hall, PO Box 1070, Nashville, TN, 37202-1070, or by calling (615) 736-7666. Comments should also be directed to the Tennessee Department of Environment and Conservation, Division of Water Pollution Control, Natural Resources Section, Attention: Dan

Eager, 401 Church Street, 7th Floor L&C Annex, Nashville, TN 37134-0343, or by calling (615) 532-0708.

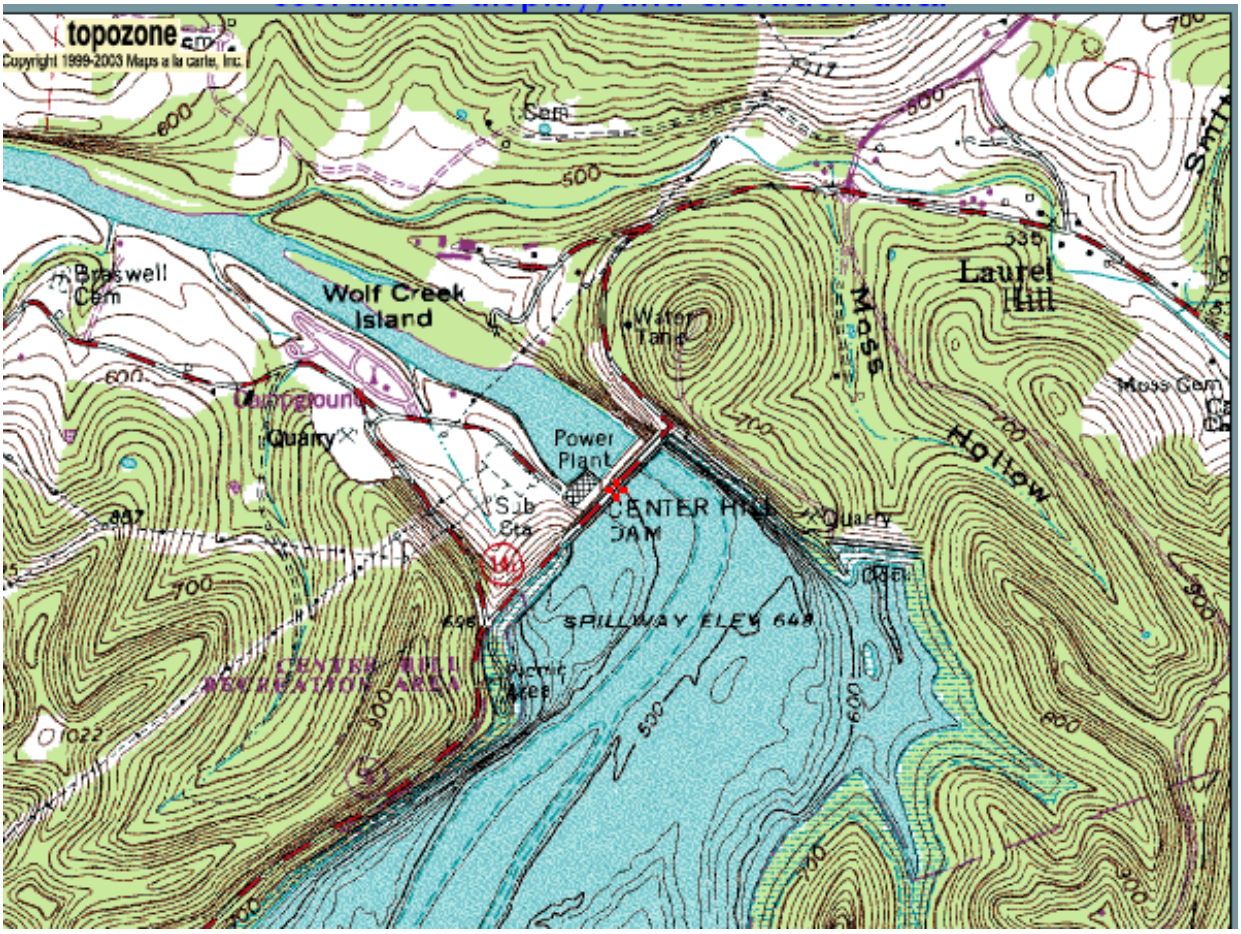
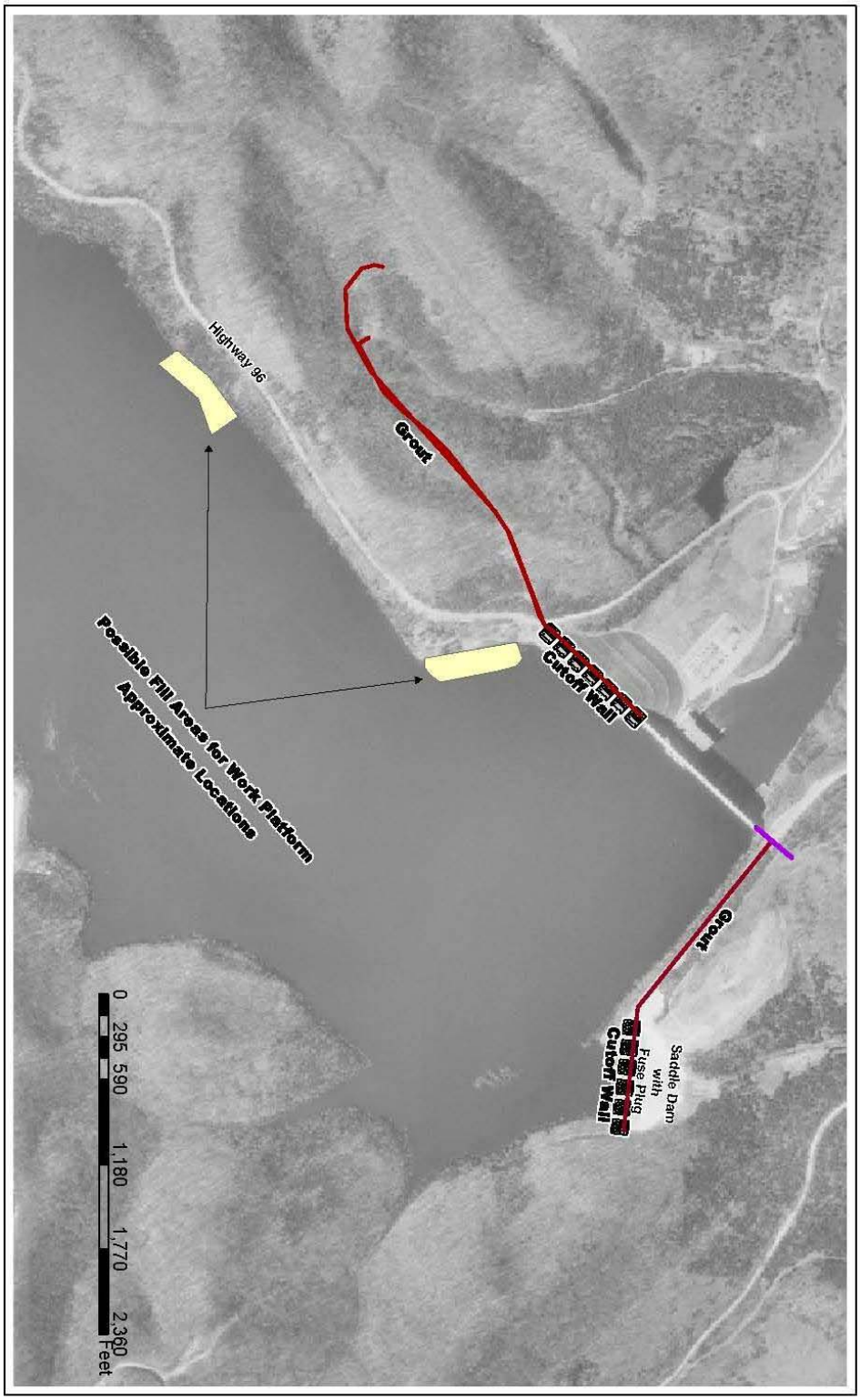


Figure 1

Center Hill Dam, Center Hill Dam Quad

36° 05’ 50” N; 85 °, 49’, 34” W


Highway 96
Grout
Cutoff Wall
Possible Fill Areas for Work Platform
Approximate Locations
Grout
Saddle Dam
with
Fuse Plug
Cutoff Wall
0 295 590 1,180 1,770 2,360
Feet

Proposed Filling of Eisenhower Park

Typical Section

Figure 2, Location of proposed work

Eisenhower Park

Proposed Fill Area